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February 29, 2008

VIA ELECTRONIC FILING

Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

RE: EB Docket No. 06-36
Annual 47 C.F.R. § 64.2009(e) CPNI Certification for 2007

Dear Ms. Dortch:

On behalf Virgin Mobile USA, L.P. ("Virgin Mobile"), and pursuant to Section 64.2009(e) of the FCC rules, there is submitted herewith Virgin Mobile's 2007 CPNI Certification with accompanying statement. The documents are submitted in accordance with the directives set forth in the FCC's Public Notice, DA 08-171, EB Docket No. 06-36, released January 29, 2008.

Should you have any questions concerning this submission, please do not hesitate to contact the undersigned.

Respectfully submitted,



Antoinette Cook Bush
John M. Beahn
Counsel to Virgin Mobile USA, L.P.

Enclosures

cc: Enforcement Bureau (2 copies)
Best Copy and Printing, Inc. (1 copy)



Annual 47 C.F.R. § 64.2009(e) CPNI Certification

EB Docket 06-36

Annual 64.2009(e) CPNI Certification for 2007.

Date filed: February 29, 2008

Name of company covered by this certification: Virgin Mobile USA, L.P.

Form 499 Filer ID: 822596

Name of signatory: Peter Lurie

Title of signatory: General Counsel & Secretary

I, Peter Lurie, certify that I am an officer of the company named above, and acting as an agent of the company, that I have personal knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See 47 C.F.R. § 64.2001 et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules.

The company has not taken any actions (proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission against data brokers) against data brokers in the past year. Companies must report on any information that they have with respect to the processes pretexters are using to attempt to access CPNI, and what steps companies are taking to protect CPNI.

The company has not received any customer complaints in the past year concerning the unauthorized release of CPNI. The company has recently become aware that certain third parties have recently attempted to access, and through efforts to deceive the company's customer care representatives, may have accessed, certain account information for a small number of the Company's customers. The access does not appear to have been attempted for the purpose of obtaining CPNI information, nor do we have any reason to believe that CPNI information was

obtained. The company is notifying the relevant customers, is working with law enforcement agencies relating to this matter, and is taking steps necessary to ensure that appropriate security measures are in place to protect against the disclosure of CPNI and other customer information.

Signed: _____

Peter Lurie

STATEMENT

1. Virgin Mobile does not use or disclose customer proprietary network information ("CPNI") for any purpose other than the provision or marketing of the company's core wireless services and products.

2. Access to Virgin Mobile customer CPNI and personally-identifiable information is restricted only to those employees and agents necessary to provide or market Virgin Mobile's services and products.

3. In compliance with 47 C.F.R. § 64.2009(b), Virgin Mobile employees and agents with access to Virgin Mobile customer CPNI are trained and required to verify that they are familiar with the company's policies on the use and disclosure of CPNI and any personally-identifiable information.

- Virgin Mobile has established disciplinary procedures should any Virgin Mobile employee or agent violate the company's policies with respect to the use and disclosure of customer CPNI.

4. Virgin Mobile does not share its customers' CPNI with any unaffiliated third party for any purpose, including the cross-promotion of any third-party products or services.

5. Virgin Mobile does share CPNI with affiliated entities in certain situations. Any such disclosure:

- requires advance approval by legal counsel;
- is made pursuant to strict confidentiality agreements and policies, which prohibit the further disclosure of such CPNI by the affiliated entity;
- prohibits the affiliated entity from using the CPNI for any purpose other than the marketing or provision of Virgin Mobile wireless services or products; and,
- requires that the affiliated entity have protections in place to ensure the confidentiality of Virgin Mobile customer CPNI and personally-identifiable information.

6. All vendors that obtain any CPNI are contractually bound to: (i) keep all such information confidential; and (ii) use such information only to provide services to VMU.

7. To protect against the unwarranted disclosure of CPNI or personally-identifiable information, Virgin Mobile maintains a 100-percent password-protected account management system known as the vKey. The vKey is an alphanumeric, consumer-set password used by Virgin Mobile to authenticate customers. Pursuant to this system, a customer must provide a proper Virgin Mobile phone number and associated vKey to access any customer account information., including a list of their most-recent calls, account balance and other personally-identifiable information. Virgin Mobile requires a customer to provide the applicable vKey before that customer may access CPNI or personally-identifiable information either online or through the Virgin Mobile customer care number. Virgin

Mobile will not disclose a customer's CPNI or personally-identifiable information without a vKey under any circumstances, and has trained its customer care agents to enforce this policy.

8. In the event that a customer misplaces or forgets their vKey, Virgin Mobile requires the customer to answer a vKey reminder question. During the service activation process, Virgin Mobile provides customers with a pull-down menu of potential reminder questions; the answer to which only the customer would know. The reminder questions are non-biographical in nature. The customer must provide the answer to this question any time the customer forgets or misplaces their vKey. Should the customer fail to properly answer their secret question online, the customer will be denied access to the account information. For telephone requests, Virgin Mobile customer care personnel are trained to deny access to the account in the event that a customer misplaces or forgets their vKey.

9. To protect CPNI and personally-identifiable information, Virgin Mobile also employs advanced information technology systems, including the following:

- restricted access to CPNI and customer personally-identifiable information to a limited number of employees;
- technological prohibitions on the electronic reproduction or distribution of CPNI or personally-identifiable information;
- external security audits to review Virgin Mobile IT security procedures, access privileges, and controls; and,
- penetration analysis of the company's internet firewalls performed by a third-party testing firm retained by Virgin Mobile.